

III. REMARKS

Applicant's counsel thanks the Examiner for the careful consideration given the application, the indication of allowable subject matter and the allowance of claims 10, 12-20, 29-41.

Claim Objections

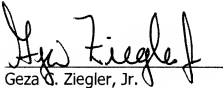
The Examiner objected to claims 1 and 3-9 under 35 U.S.C. 101, as not falling one of the four statutory categories of invention, stating that a statutory "process" under 35 U.S.C. 101 must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter to a different state or thing.

Claims 1 and 7 are independent claims. To overcome the Examiner's objections, claims 1 and 5 to 7 have been amended so that the steps of claims 1-7 are tied to an acoustic shock protection device (apparatus). The amendments made to the claims are fully supported by the application as originally filed, for example, at page 4, line 32 to page 6, line 13 and page 20, lines 29 to 33 of the original specification and in Figs. 1-2. No new matter has been introduced by way of the amendments. Applicant respectfully requests reconsideration and withdrawal of the objections to claims 1 and 3- 9.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Geza G. Ziegler, Jr.", written over a horizontal line.

Geza G. Ziegler, Jr.
Reg. No. 44,004

23 June 2009
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512